



KING COUNTY SHERIFF'S OFFICE
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John Urquhart
Sheriff

January 17, 2013

Steve Eggert, President
King County Police Officer's Guild
5701 6th Avenue South, Ste. 491-B
Seattle, WA 98108

Re: Step 2 Grievance - IIU File 2012-143
Sustained findings on two performance standards;
Recommended Performance Related Training for entire NCI team, Gang Unit, and Burien SET
Unit

Dear Steve:

Thank you for meeting with me to discuss this case at the 2nd Step of the Grievance process on December 18, 2012. The Guild's primary concern was the existence of sustained findings, which are part of an employee's file for the remainder of his career.

At issue were sustained findings against Deputy Thompson for the following performance standards:
GOM 3.00.020(3)(a): Deputies shall be aware of the extent and limitation of their authority in the enforcement of the law.
GOM 3.00.020(1)(c)(d): All members must perform their assigned duties in a satisfactory and efficient manner. Unsatisfactory performance of duty shall be grounds for non-disciplinary action or disciplinary action up to and including discharge. "Unsatisfactory Performance" may be established when a member: Performs at a level significantly below the standard achieved by others in the work unit. Acts in violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, or elsewhere.

You presented the argument that there was insufficient notice to staff that the sustained behavior in this case was a violation of policy, and that supervisory staff should have known about the unit's similar conduct in these searches related to DOC contacts. You further raised the issue that there has been insufficient training with regard to what rules apply to our officers when they are assisting the Dept. of Corrections, which has a different authority in these circumstances than the Sheriff's Office.

The Guild has requested as a remedy that the sustained findings in this matter be converted to non-sustained.

No discipline was imposed in this case. Instead training was recommended for several work units as a result of the investigation. The training suggested includes KCSO's role when assisting the Department of Corrections, third party residences, protective sweeps, the need for a "plan" before going forward (both a pre-plan and a plan when circumstances change), and the role of supervision, among other issues.

Since no discipline was imposed, there is no procedural remedy under the contract. The grievance is denied on that basis.

However in the interest of fairness, I will change the sustained findings to non-sustained for both GOM provisions. I believe Detective Thompson was singled out when other detectives and supervisors had at least some culpability as well.

But make no mistake. I am extremely concerned with how this operation was conducted, the supervision of the unit, and certainly the ultimate outcome. I concur that training is needed for all detectives in the NCI Team, as well as the Gang Unit and other plain-clothes detectives throughout the Sheriff's Office. I have asked the Advanced Training Unit to set up the training and attendance will be mandatory for the aforementioned detectives and sergeants of those units.

Thank you.

Sincerely,

John Urquhart
Sheriff